IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY THE TENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY**

**WRIT PETITION NO : 15468 of 2004**

Between:

Sri Kanaka Durga Girijana Sankshema Sangam, Regd.No. 284/88, Vijayawada, rep by its General Secretary, B. Saida Naik, S/o. Hanuma Naik, Aged 50 years, R/o. D.No. 74-31/1-4B,
Karivepaku Thota, Ashok Nagar, Vijayawada, Krishna District.

**..... PETITIONER**

AND

1 The District Collector, Krishna District, Machilipatnam, Krishna District.
2 The Revenue Divisional Officer-Cum-Sub Collector, Vijayawada, Krishna District.
3 The Mandal Revenue Officer, Ibrahimpatnam Mandal, Krishna District.
4 Smt. B. Balamma, W/o. Mantri Naik,
R/o. D.No. 27-23-120, Gopala Reddy Roo, Governorpet, Vijayawada, Krishna District.

**..RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction declaring the action of the respondents 1 to 3 herein in not taking any action in the direction of allotment of house plots to the members of the petitioner Society in R.S.NO. 272 of Ibrhimpatnam Village, Ibrahimpatnam Mandal, Krishna District inspite of the representations dt. 19-7-2004 and 20-7-2004 submitted by the petitioner to the respondents 2 and 1 respectively as illegal, arbitrary, unreasonable and violative of Articles 14 and 21 of the constitution of India and consequently direct the respondents 1 and 2 herein to take appropriate action on the representations dt. 20-7-2004 and 19-7-2004 submitted by the petitioner herein.

**Counsel for the Petitioner:MR.A.V.SESHA SAI**

**Counsel for the Respondent No.: GP FOR REVENUE**

**The Court made the following :**

**ORDER:**

With the consent of both the parties, the writ petition itself is taken up for hearing.

2. This writ petition is filed by Sri Kanaka Durga Girijana Sankshema Sangam, a Co-operative Society registered under Co-operative Societies Act, represented by its General Secretary B.Saida Naik seeking a direction to the respondents 1 to 3 to consider their representations dated 19-7-2004 and 20-7-2004 and to pass appropriate orders.

3. It is the grievance of the writ petitioner's society that it had paid an amount of Rs. 21,50,000/- towards sale consideration out of Rs. 30,32,000/- and in spite of the assurance given by the respondents with regard to acquisition of the land from Wakf Board, no steps have been taken by the respondents in that regard.

4. Counter affidavit has been filed by the respondents 1 and 3. In para 5 of the affidavit, it is stated as follows:-

> *"It is a fact that the then Revenue Divisional Officer has issued notice to the petitioner's society in Rc.B2/2031/99, dated 21-2-2004 with a directed to provide an amount of Rs. 30,32,000/- towards cost of the land for initiating the Land Acquisition proposals for the land measuring Ac. 7-00 cts. for house sites to its members of the society. It is a fact that the petitioner herein in the case has provided an amount of Rs. 21,50,000/- by means of two pay orders bearing No. 470947, dated 12-6-2004 for Rs. 19,00,000/- and No. 470985 dated 19-6-2004 for Rs.2,50,000/- respectively".*

5. Such is the situation, the only obligation on the part of the petitioner is to pay balance of Rs. 8,82,000/-. It seems the said amount has not been paid by the petitioner so far. The representation submitted by the petitioner's society on 19-7-2004 and 20-7-2004 are stated to be pending consideration.

6. In that view of the matter, the respondents 1 to 3 are directed to consider the representations of the petitioner's society submitted on 19-7-2004 and 20-7-2004 and pass appropriate orders within two months from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of. No order as to costs.

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B.Seshasayana Reddy,J

10th June, 2005

Note: C.C. in a week

B/o

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Krishna District, Machilipatnam, Krishna District.
2 The Revenue Divisional Officer-Cum-Sub Collector, Vijayawada, Krishna District.
3 The Mandal Revenue Officer, Ibrahimpatnam Mandal, Krishna District.
4. 2 CCs to G.P.for Revenue, High Court Buildings, Hyderabad, (OUT)

5. 2 CD copies

**THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY**

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**WRIT PETITION NO : 15468 of 2004**

**10th June, 2005.**